

Application No. 10/565,106  
Amendment dated December 19, 2008  
Reply to Office Action of September 19, 2008

Docket No.: 3449-0588PUS1

### REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Claims 1-17 are now present in this application. Claims 1, 8 and 14 are independent. Claims 1-3, 7 and 8 have been amended. Reconsideration of this application, as amended, is respectfully requested.

### Allowable Subject Matter

The Examiner states that claims 14-17 are allowed. Further, the Examiner states that claims 2-7 and 9 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. However, claims 2-7 and 9 have not been rewritten in independent form at this time, since it is believed that amended independent claims 1 and 8 from which these claims depend are allowable.

### Rejections under 35 U.S.C. §103

Claims 1, 8 and 10-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Orland et al. This rejection is respectfully traversed.

Independent claim 1 has been amended to recite, among other features, discriminating an audio frame number and a video field number based upon time indexes of time-indexed audio and video signals, calculating an audio frame time  $t_a$  and a video field time  $t_v$  from the audio frame number and the video field number, and measuring a time difference  $d$ , between the audio and video signals using the audio frame time  $t_a$  and the video field time  $t_v$ . Amended independent claim 8 includes similar features in a varying scope.

These features are supported at least by pages 12 and 13 the specification. For example, the specification teaches "an audio time calculating means 11 for detecting a time index signal

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contained in an audio signal to discriminate a corresponding audio frame number, and calculating a corresponding audio frame time  $t_a$  from the audio frame number; a video time calculating means 12 for detecting a time index signal contained in the video signal to discriminate a corresponding video field number and calculating a corresponding video field time  $t_v$  from the video field number; a measuring means 13 for measuring a time difference between the audio and video signals" (see page 12, line 32 – page 13, line 11 of the specification).

Orland et al. teaches a method for synchronizing a video signal and an audio signal in time with coincidental markers. In detail, Orland et al. teaches adjusting an audio delay and a video delay by detecting the markers and generating delay signals (see col. 2, lines 36-51). However, Orland et al. does not teach calculating an audio frame time  $t_a$  and a video field time  $t_v$  from the audio frame number and the video field number. Nowhere in Orland et al. discloses that the audio frame time and the video frame time are calculated from the audio frame number and the video field number. Further, Orland et al. does not teach measuring a time difference  $d$ , between the audio and video signals using the audio frame time  $t_a$  and the video field time  $t_v$ . There is no teaching of calculating the time difference in Orland et al. Therefore, Orland et al. fails to teach or suggest discriminating an audio frame number and a video field number based upon time indexes of time-indexed audio and video signals; calculating an audio frame time  $t_a$  and a video field time  $t_v$  from the audio frame number and the video field number, and measuring a time difference  $d$ , between the audio and video signals using the audio frame time  $t_a$  and the video field time  $t_v$ , as recited in amended independent claims 1 and 8.

Accordingly, amended independent claims 1 and 8, and each of the claims depending therefrom, are allowable. Further, as indicated in the Office Action, claims 14-17 are allowable.

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**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Jun S. Ha, Registration No. 58,508, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 19, 2008

Respectfully submitted,

By 

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